

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE UNITED STATES OF AMERICA

vs

ROBERT LEONARD TRUHITTE and
KAREN ELIZABETH LAUBENTHAL

INDICTMENT CR 19 00501 EJD

COUNT ONE: 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(B) – Conspiracy to Possess with Intent to Distribute Methamphetamine

SVK

COUNT TWO: 21 U.S.C. § 841(a)(1) and (b)(1)(B)(viii) – Possession with Intent to Distribute Methamphetamine

COUNT THREE: 21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with Intent to Distribute Methamphetamine; Aiding and Abetting

A true bill.



Foreperson

Filed in open court this 3 day of October A.D. 2019



United States Magistrate Judge
Nathaniel Cocco

Bail. \$ no bail arrest warrant, for both defendants.

1 DAVID L. ANDERSON (CABN 149604)
2 United States Attorney
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FILED
OCT 03 2019
SUSAN Y. SOONG
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 ROBERT LEONARD TRUHITTE, and
15 KAREN ELIZABETH LAUBENTHAL,

16 Defendants.
17
18

CR 19 00501

CASE NO.

) VIOLATIONS:

-) 21 U.S.C. §§ 846, 841(a)(1), and (b)(1)(B) –
-) Conspiracy to Possess with Intent to Distribute
-) Methamphetamine;
-) 21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(viii) –
-) Possession with Intent to Distribute
-) Methamphetamine;
-) 21 U.S.C. §§ 841(a)(1) and (b)(1)(C) – Possession
-) with Intent to Distribute Methamphetamine;
-) 21 U.S.C. § 853 – Criminal Forfeiture Allegation

EJD
SVK

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20 I N D I C T M E N T

21 The Grand Jury charges:

22 COUNT ONE: (21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(B) – Conspiracy to Possess with Intent to
23 Distribute Methamphetamine)

24 Beginning on or about July 10, 2019, and continuing to on or about July 16, 2019, in the

25 Northern District of California, the defendants,

26 ROBERT LEONARD TRUHITTE, and
27 KAREN ELIZABETH LAUBENTHAL,

28 and others known and unknown to the Grand Jury, did knowingly and intentionally conspire to possess

INDICTMENT

1 with intent to distribute 50 grams and more of a mixture and substance containing a detectible amount of
2 methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in
3 violation of Title 21, United States Code, Sections 846, 841(a)(1), and (b)(1)(B)(viii).

4 COUNT TWO: (21 U.S.C. § 841(a)(1) and (b)(1)(B)(viii) – Possession with Intent to Distribute
5 Methamphetamine)

6 On or about July 16, 2019, in the Northern District of California, the defendants,

7 ROBERT LEONARD TRUHITTE, and
8 KAREN ELIZABETH LAUBENTHAL,

9 did knowingly and intentionally possess with intent to distribute 50 grams and more of a mixture and
10 substance containing a detectible amount of methamphetamine, its salts, isomers, and salts of its
11 isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections
12 841(a)(1) and 841(b)(1)(B)(viii).

13 COUNT THREE: (21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with Intent to Distribute
14 Methamphetamine; Aiding and Abetting)

15 On or about July 10, 2019, in the Northern District of California, the defendants,

16 ROBERT LEONARD TRUHITTE, and
17 KAREN ELIZABETH LAUBENTHAL,

18 did knowingly and intentionally possess with intent to distribute methamphetamine, its salts, isomers,
19 and salts of its isomers, a Schedule II controlled substance, and aided and abetted the same, in violation
20 of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C) and Title 18 United States Code
Section 2.

21 FORFEITURE ALLEGATION: (21 U.S.C. § 853(a))

22 The allegations contained above are hereby re-alleged and incorporated by reference for the
23 purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853(a).

24 Upon conviction of any of the offenses alleged in Counts One through Three above, the
25 defendants,

26 ROBERT LEONARD TRUHITTE, and
27 KAREN ELIZABETH LAUBENTHAL,

1 shall forfeit to the United States all right, title, and interest in any property constituting and derived from
2 any proceeds the defendant obtained, directly or indirectly, as a result of such violations, and any
3 property used, or intended to be used, in any manner or part, to commit or to facilitate the commission of
4 such violations, including but not limited to the following:

- 5 a. An SCCY CPX-2 pistol with Serial Number 370058 seized on July 16, 2019 from
6 TRUHITTE's hotel room in Santa Cruz, California.
- 7 b. A magazine and ammunition for the SCCY CPX-2 pistol, seized on July 16, 2019
8 from TRUHITTE's hotel room in Santa Cruz, California.
- 9 c. \$14,145 in cash seized on July 16, 2019 from TRUHITTE's hotel room in Santa
10 Cruz, California; and
- 11 d. a forfeiture money judgment equal to the total gross proceeds obtained by the
12 defendant as a result of the offenses.

13 If any of the property described above, as a result of any act or omission of the defendant:

- 14 a. cannot be located upon exercise of due diligence;
- 15 b. has been transferred or sold to, or deposited with, a third party;
- 16 c. has been placed beyond the jurisdiction of the court;
- 17 d. has been substantially diminished in value; or
- 18 e. has been commingled with other property which cannot be divided without
19 difficulty,

20 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,
21 United States Code, Section 853(p).

22 All pursuant to Title 21, United States Code, Section 853, and Federal Rule of Criminal
23 Procedure 32.2.

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1 DATED:

2 *10-3-19*

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4 DAVID L. ANDERSON
United States Attorney

5 *C. Anderson* *hjason*
6 MARISSA HARRIS
JIMMY DOAN
7 Assistant United States Attorneys

A TRUE BILL

FOREPERSON

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DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

OFFENSE CHARGED

Count One: 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(B) – Conspiracy to Possess with Intent to Distribute Methamphetamine; Count Two: 21 U.S.C. § 841(a)(1) and (b)(1)(B)(viii) – Possession with Intent to Distribute Methamphetamine; Count Three: 21 U.S.C. § 841(a)(1) and (b)(1)(C) – Possession with Intent to Distribute Methamphetamine; Aidina and Abettina

- Petty
 Minor
 Misdemeanor
 Felony

PENALTY:

see attached sheet

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

DEFENDANT - U.S.

→ Robert Leonard Truhitte & Karen Elizabeth Laubenthal

DISTRICT COURT NUMBER

CR 19 00501 EJD

DEFENDANT

SVK

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) If not detained give date any prior summons was served on above charges →

- 2) Is a Fugitive

- 3) Is on Bail or Release from (show District)

FILED

IS IN CUSTODY

- 4) On this charge

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

} Federal State

- 5) On another conviction

- 6) Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer Yes
been filed? No

} If "Yes"
give date
filed

DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

 This report amends AO 257 previously submittedName and Office of Person
Furnishing Information on this form DAVID L. ANDERSON U.S. Attorney Other U.S. AgencyName of Assistant U.S.
Attorney (if assigned) AUSA Marissa Harris

PROCESS:

 SUMMONS NO PROCESS* WARRANT

Bail Amount: None

If Summons, complete following:

 Arraignment Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: _____ Before Judge: _____

Comments:

UNITED STATES V. TRUHITTE, ET AL.
PENALTIES

Count One: **21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(B)(viii) (Conspiracy to Possess with Intent to Distribute Methamphetamine)**

- Minimum Prison Term: 5 years
- Maximum Prison: 40 years
- Maximum Fine: \$5,000,000
- Minimum Supervised Release: 4 years
- Forfeiture
- Potential Deportation
- Mandatory and discretionary denial of benefits
- Special assessment fee: \$100

Count Two: **21 U.S.C. §§ 841(a)(1), 841(b)(1)(B)(viii) (Possession with Intent to Distribute Methamphetamine)**

- Minimum Prison Term: 5 years
- Maximum Prison: 40 years
- Maximum Fine: \$5,000,000
- Minimum Supervised Release: 4 years
- Forfeiture
- Potential Deportation
- Mandatory and discretionary denial of benefits
- Special assessment fee: \$100

Count Three: **21 U.S.C. §§ 841(a)(1), 841(b)(1)(C) (Possession with Intent to Distribute Methamphetamine)**

- Maximum Prison: 20 years
- Maximum Fine: \$1,000,000
- Minimum Supervised Release: 3 years
- Forfeiture
- Potential Deportation
- Mandatory and discretionary denial of benefits
- Special assessment fee: \$100